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ACTUALITÉS - REPORT

No.4

CANADIAN CRIMINAL JUSTICE ASSOCIATION - ASSOCIATION CANADIENNE DE JUSTICE PÉNALE

GENERAL TOPICS - SUJETS GÉNÉRAUX



2021 - JUSTICEREPORT.CA

The JUSTICE REPORT contains information of value to Association readers and the public interested in matters related to the administration of justice in Canada. Opinions expressed in this publication do not necessarily reflect the Association's views, but are included to encourage reflection and action on the criminal justice system throughout Canada.

For more information on the activities of the CCJA, please contact:

L'ACTUALITÉS JUSTICE renferme des renseignements utiles aux lecteurs de l'Association et au public qui s'intéressent aux questions relatives à l'administration de la justice au Canada. Les opinions qui sont exprimées ne reflètent pas nécessairement les vues de l'Association, mais y figurent afin d'encourager à réfléchir et à agir sur la justice pénale dans tout le Canada.

Pour obtenir de plus amples renseignements sur les activités de l'Association, veuillez communiquer avec :

**CANADIAN CRIMINAL JUSTICE ASSOCIATION
ASSOCIATION CANADIENNE DE JUSTICE PÉNALE**

P • 101-320, av. Parkdale Ave., Ottawa, Ontario, Canada K1Y 4X9
T • 613 725.3715 | F • 613 725.3720 | E • ccja-acjp@rogers.com
ccja-acjp.ca

**NANCY WRIGHT, EDITOR-IN-CHIEF SINCE 2012.
NANCY WRIGHT, RÉDACTRICE EN CHEF DEPUIS 2012.
E • ccjapubsacjp@gmail.com**

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EDITORIAL

IRVING KULIK
CCJA Executive Director

As we close the second year of the COVID pandemic, we begin to see brighter lights at the end of this long tunnel. Our vaccination rates continue to rise, making life safer and hopefully soon attaining our expectations of a return to “normal”. This of course is critical for a successful Congress 2022. We are optimistic that the remaining challenges will be overcome shortly, permitting a large attendance at the 5th World Congress in Ottawa next September. Our call for papers is currently open until December 15th and we have already received over 40 submissions. We invite our readers to consider submitting a presentation that may showcase their research findings in an area of criminal justice, particularly having a focus on probation or parole. Further information is included in this copy of the *Justice Report* as well as on our website at ccja-acjp.ca.

Those of us who have had long careers in criminal justice are familiar with the flow of daily critical news articles emphasizing crime and especially failures of the criminal justice system at various levels. In this context criminal justice professionals, being always on the defensive, are cautious about venturing forward with good news stories. As prediction is not perfect, one never knows whether a seemingly successful parolee might not one day recidivate. The lead article in this issue of the *Justice Report* does, however, point out real success stories. Doug Heckbert, a former probation officer and justice stakeholder, now author of *Go Ahead and Shoot Me!* recounts

success stories and calls on criminal justice officials to actively share the successes found in the system as well.

This issue also contains interesting articles regarding the training of antifraud investigators in the cyber world, radicalization within the Muslim community and the need for a look at criminology in Africa. Wan Fei Ma, a Ph.D. candidate at York University, highlights common challenges to the training of digital anti-fraud professionals and the management of anti-fraud operations; Karime Elabderrahmani calls for more research into how socio-environmental factors come together to radicalize Muslim youth; and finally, Chahid Slimani would like to see a more universal perspective on criminology research and teaching in Africa.

I trust you will find this issue interesting as always, and, on behalf of the Board and Staff of the CCJA, I wish you a safe and happy holiday period and a healthy New Year.



ÉDITORIAL

IRVING KULIK

Directeur général de l'ACJP

Alors que la deuxième année de pandémie de COVID-19 tire à sa fin, nous commençons à voir la lumière au bout d'un long tunnel. Nos taux de vaccination continuent d'augmenter, ce qui rend la vie plus sûre et, espérons-le, nous permettra bientôt de revenir à la « normale ». Ceci est bien sûr essentiel pour le succès du Congrès 2022. Nous avons bon espoir de surmonter rapidement les derniers freins à une vaste participation au 5^e Congrès mondial, qui aura lieu à Ottawa, en septembre prochain. Notre appel à communications est ouvert jusqu'au 15 décembre et nous avons déjà reçu plus de 40 propositions. Nous invitons nos lecteurs à soumettre une présentation mettant en valeur leurs résultats de recherche dans un domaine de la justice pénale, en particulier en ce qui concerne la probation ou la libération conditionnelle. Vous trouverez de plus amples renseignements dans cette édition d'Actualités Justice, ainsi que sur notre site Web, à ccja-acjp.ca.

Ceux d'entre nous qui ont fait une longue carrière dans le domaine de la justice connaissent bien le flux quotidien d'articles de presse traitant de criminalité et surtout des différents échecs du système de justice pénale. Dans ce contexte, les professionnels de la justice pénale, toujours sur la défensive, sont prudents lorsqu'il s'agit d'annoncer de bonnes nouvelles. En effet, étant donné que l'avenir est impossible à prédire, on ne sait jamais si une personne en liberté conditionnelle qui suit le droit chemin ne va pas un jour récidiver. La pièce

maîtresse de ce numéro d'Actualités Justice se risque toutefois à mettre en évidence de véritables histoires de réussite. Doug Heckbert, ancien agent de probation et intervenant dans le domaine de la justice, aujourd'hui auteur de *Go Ahead and Shoot Me!* raconte des histoires de réussite et appelle les responsables de la justice pénale à se joindre à lui pour nous faire part d'autres histoires de réussites du système.

Ce numéro contient également des articles intéressants sur la formation d'enquêteurs spécialisés en fraude dans le cybermonde, la radicalisation au sein de la communauté musulmane et la nécessité de porter un regard sur la criminologie en Afrique. Wan Fei Ma, candidate au doctorat à l'Université York, traite des défis communs à la formation des professionnels antifraude numérique et à la gestion des opérations antifraude. Karime Elabderrahmani appelle à davantage de recherches sur la façon dont les facteurs sociaux et environnementaux se conjuguent pour amener de jeunes musulmans à se radicaliser. Enfin, Chahid Slimani aimerait que la recherche et l'enseignement de la criminologie en Afrique adoptent une perspective plus universelle.

J'espère que vous trouverez ce numéro intéressant, comme toujours, et, au nom du conseil d'administration et du personnel de l'ACJP, je vous souhaite de bonnes vacances et une bonne santé pour la nouvelle année.

CALL FOR PAPERS

World Congress on Probation and Parole 2022
No One Left Behind: Building Community Capacity

September 28 - October 1, 2022



Delta Hotel - Ottawa (Ontario) Canada

CALL FOR PAPERS DEADLINE: December 15, 2021

Please submit your proposals to CCJA by email (ccja-acjp@rogers.com),
fax (+1 (613) 725-3720), or post (320 Parkdale Avenue, Suite #101, Ottawa (Ontario) Canada K1Y 4X9).

You are cordially invited to submit an abstract for a presentation
at the 5th World Congress on Probation and Parole.

This international event is being organized by the Canadian Criminal Justice Association in collaboration with the Parole Board of Canada, Correctional Service Canada, Public Safety Canada, and the Royal Canadian Mounted Police. It will be held at the Delta Hotel in Ottawa, Ontario, Canada. Consider attending this networking opportunity to learn about the latest in probation and parole around the world.

The theme of the event will be “**No One Left Behind: Building Community Capacity**”. This Congress will explore the challenges, opportunities and success stories involved in building community capacity and sustaining partnerships that support successful reintegration for diverse groups of offenders in an evolving global environment.

Academics, researchers, students, community-based organizations, practitioners, and policy leaders are invited to submit presentation proposals relating to one or more of the sub-themes listed below. Please note that elements within the sub-themes are not exclusive. Other subjects can be added if they are connected to the main theme of “No One Left Behind: Building Community Capacity”.

Organized by the Canadian Criminal Justice Association in collaboration with the Parole Board of Canada, Correctional Service Canada, Public Safety Canada, and the Royal Canadian Mounted Police.

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Sub-Themes

Offenders with mental
health needs

Over-represented
minorities

Elderly
offenders

Disabled
offenders

Indigenous
offenders

High-risk
offenders

Staff
training

Building community
capacity

Partnerships

Women
offenders

Radicalized
offenders

Young
offenders

Long-term
offenders

Public awareness
strategies

Presentation Types

WORKSHOPS

SHORT
PRESENTATIONS

SCHOLARLY
POSTER
PRESENTATIONS

DOCUMENTARIES,
SHORT FILMS,
PODCASTS

Organized by the Canadian Criminal Justice Association in collaboration with the Parole Board of Canada,
Correctional Service Canada, Public Safety Canada, and the Royal Canadian Mounted Police.

APPEL DE COMMUNICATION

5^e Congrès mondial sur la probation et la libération conditionnelle

Ne laisser personne de côté : renforcer la capacité communautaire

28 septembre au 1^{er} octobre 2022



Delta Hotel - Ottawa (Ontario) Canada

DATE LIMITE DE SOUMISSION : 15 décembre 2021

Veuillez présenter votre proposition à l'ACJP par courriel (ccja-acjp@rogers.com),
par télécopieur (+1 613 725 3720) ou par la poste (320, avenue Parkdale, bureau 101, Ottawa (Ontario) Canada K1Y 4X9).

Vous êtes cordialement invités à présenter un résumé de présentation dans le cadre du 5^e Congrès mondial sur la probation et la libération conditionnelle!

Cet événement international est organisé par l'Association canadienne de justice pénale, en collaboration avec la Commission des libérations conditionnelles du Canada, Service correctionnel Canada, Sécurité publique Canada, et la Gendarmerie royale du Canada. L'événement se tiendra au Delta Hotel, à Ottawa, en Ontario, au Canada. Pensez à participer à cette occasion de réseautage pour en savoir davantage sur les dernières avancées en matière de probation et de libération conditionnelle partout dans le monde.

Le thème de l'événement sera « **Ne laisser personne de côté : renforcer la capacité communautaire** ». Dans le cadre de ce Congrès, on abordera les défis, les possibilités et les réussites touchant le renforcement de la capacité communautaire et le maintien de partenariats qui favorisent la réintégration efficace de divers groupes de délinquants dans un contexte mondial en évolution.

Des universitaires, des chercheurs, des étudiants, des organisations communautaires, des intervenants et des dirigeants politiques sont invités à présenter des propositions de présentation liée à l'un ou à plusieurs des sous-thèmes énumérés plus bas. Veuillez noter que les éléments des sous-thèmes ne sont pas exclusifs. D'autres sujets peuvent être ajoutés s'ils sont liés au thème principal « Ne laisser personne de côté : renforcer la capacité communautaire ».

APPEL DE COMMUNICATION

5^e Congrès mondial sur la probation et la libération conditionnelle

Ne laisser personne de côté : renforcer la capacité communautaire

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par télécopieur (+1 613 725 3720) ou par la poste (320, avenue Parkdale, bureau 101, Ottawa (Ontario) Canada K1Y 4X9).

Sous-thèmes

Délinquants ayant
des besoins en santé mentale

Minorités
sur-représentées

Délinquants
âgés

Délinquants
handicapés

Femmes
délinquantes

Délinquants
radicalisés

Formation
du personnel

Délinquants
à risque élevé

Partenariats

Renforcement de
la capacité communautaire

Délinquants
autochtones

Jeunes
délinquants

Délinquants
à contrôler

Stratégies de
sensibilisation du public

Types de présentation

ATELIERS

BREFS
EXPOSÉS

PRÉSENTATION
D’AFFICHES
DE CHERCHEURS

DOCUMENTAIRES,
COURTS MÉTRAGES,
BALADOS



SUCCESS STORIES HISTOIRES DE RÉUSSITE

Canadian Criminal Justice System

LET'S TALK SUCCESS!

La système canadien de justice pénale

PARLONS DES RÉUSSITES!

A Success Story for Criminal Justice: Roberto

DOUG HECKBERT

Lamenting the fact that good news often goes unreported, Doug Heckbert here launches this new section of the Justice Report: Success Stories in the Canadian Criminal Justice System. Heckbert, like other Canadian justice stakeholders, is committed to the idea of criminal justice education. The public needs to hear more than sensationalized and often over-reporting by media of horrific crimes and also new laws or regulations, such as abolishing solitary confinement for example, which can make people feel our system is failing. This lack of faith in public safety can be scary and make citizens question the effectiveness of the criminal justice system. Heckbert also points out that those working in criminal justice become accustomed to criticism and negative comments but often remain silent about the successes in criminal justice due to confidentiality. Yet, the public needs to hear about the good work done by criminal justice officials and about the stories of those accused whose decisions to change their attitudes and behavior and literally “turn their lives around” have made them our success stories. Heckbert is calling on criminal justice officials to assume the responsibility of “telling good news”, rather than just hoping the media will get around to it. Doug Heckbert here introduces us to this new section of the Justice Report and presents its first success story: Roberto

This is a true story about one man who caused an awful lot of harm in the community, faced the possibility of 3 ½ years of imprisonment, decided to “clean up/sober up”, diligently completed 13 months in a community-based Drug Court program, then obtained work as a peer support worker in the addictions field. Roberto continues to live a crime-free and drug-free lifestyle, having re-learned how “to be normal” (a common comment from graduates of Drug Court).

Roberto’s story serves as the lead story in a new section dealing with successes in criminal justice that I have the pleasure to launch in this edition of the *Justice Report*. All too often, the general public learns about tragedies and take in details of horrific criminal behavior often sensationalized by the press. The general public rarely hears the

good news about criminal justice; yet good news and successes are evident in all sectors of criminal justice – community, police, courts, and corrections.

Some community members express very negative attitudes about the criminal justice system. They may say, “there is no justice” or “murderers in Canada only get 25 years in prison”. These public perceptions are just plain wrong and can be traced back to snatches of information gleaned from the media and spread through society. Those of us working in criminal justice become accustomed to the criticism and negative comments directed at us and at the system in which we work; often we cannot say what we know due to confidentiality.

Some of us, however, are committed to the idea of criminal justice education. We believe the public

is entitled to know about criminal justice matters, and we must find ways to inform without breaching confidentiality. We believe the public needs to hear about the good work done by criminal justice officials and about the stories of those accused who make decisions to change their attitudes and behavior and literally “turn their lives around”; they become success stories. We believe that criminal justice officials should assume the responsibility of “telling good news”; rather than hoping the media will do it for us.

Roberto’s story is a step in this direction. I met him in 2019 during a series of interviews I conducted while gathering information for my book (*Go Ahead and Shoot Me! and Other True Cases About Ordinary Criminals*) which was published in 2020 by Durville & UpRoute Books of Calgary, Alberta. Some of the information about Roberto presented in the first article of this Success Stories section of the *Justice Report* is from his chapter in *Go Ahead*, where he was identified as Juanito for confidentiality. He has now agreed to “tell his story” openly. Information about some of his criminal activity and his present circumstances has been updated for this article through additional interviews in 2021. ■

RÉSUMÉ

A Success Story for Criminal Justice: Roberto

DOUG HECKBERT

Déplorant le fait que les bonnes nouvelles passent souvent inaperçues, Doug Heckbert lance une nouvelle section d'*Actualités Justice* consacrée à des histoires de réussite dans le système canadien de justice pénale. Doug Heckbert, comme d'autres acteurs du système de justice canadien, tient à l'idée d'une éducation à la justice pénale. Le public a besoin d'entendre autre chose que les reportages sensationnels et souvent exagérés des médias sur d'horribles crimes. Il doit également être mis au courant des nouvelles lois ou règlements, comme l'abolition de l'isolement cellulaire par exemple, qui peut donner aux gens l'impression que notre système est défaillant. Ce manque de confiance à l'égard de la sécurité publique peut être effrayant et amener les citoyens à remettre en question l'efficacité du système de justice pénale. Doug Heckbert souligne également que les personnes travaillant dans le domaine de la justice pénale s'habituent aux critiques et aux commentaires négatifs, mais qu'elles taisent souvent les succès de la justice pénale pour des questions de confidentialité. Pourtant, le public a besoin d'entendre parler du bon travail effectué par les responsables de la justice pénale et des histoires d'accusés qui changent d'attitude et de comportement, et même littéralement « de vie ». Leur réussite est aussi la nôtre. M. Heckbert demande aux responsables de la justice pénale de s'engager à « diffuser les bonnes nouvelles » au lieu de laisser cette tâche aux médias. Doug Heckbert nous présente ici cette nouvelle section d'*Actualités Justice* et sa première histoire de réussite : Roberto.



Roberto Continued...

DOUG HECKBERT

*Making use of segments from his book, **Go Ahead and Shoot Me! And Other True Cases About Ordinary Criminals** (Durville Press, 2021), former probation officer and justice stakeholder Doug Heckbert tells Roberto's story. Drawing on the "Juanito" chapter of his book, Heckbert here offers new details that emerged from a recent personal interview with Juanito, whose real name is Roberto. Alienation from his church and family had led Roberto to seek the company of those involved in drugs and crime. They made him feel as though he fit in – but he was only 18 and his life quickly spiraled out of control. Laying bare the social damage the accused had brought to the community and the personal impacts of his own bad choices, Heckbert traces Roberto's assisted-but-self-driven recovery through success.*

Roberto was born in Chile, well-known for its turbulent political past. His family consisted of his parents and a brother and sister, and they had lived in a small coastal fishing village. Roberto grew up in a close-knit family that was very religious, and these values and practices influenced much of his early life. His father dreamt of having more opportunity than possible in Chile, so he and Roberto's mother explored different options to move.

Deciding to go to Montreal where they had relatives, they lived there for a year before moving to Edmonton in 1991 to join a host of aunts, uncles and cousins already there. Roberto recalls a close extended family, strongly influenced by their religion: "I went to kindergarten and school to grade five in Edmonton. Everything was good – a church-going kid, close family where I did what the family wanted. I wasn't bullied; I was in a good place." (Interview, 2019)

In 1997, the family returned to their country of origin for a year in the hopes that opportunities had improved; but, when that did not work out, they returned to Edmonton. Roberto did not want to

leave his country of origin. He loved being with his cousins and was very popular in school and doing well. But he had to leave to be with his family.

Roberto experienced some behavioral changes upon his return. He became rebellious at the beginning of grade seven and started getting into fights at school. He felt like a nobody. An adolescent, he was starting to feel shame over some of his sexual urges and thoughts because they were contrary to the teachings of the church.

Roberto explains:

"I started to feel evil and to think I was a horrible person. That was the first time I felt that I was different and that I wasn't connected to my family. I was put into a more restricted routine and was watched more carefully by my parents, and I felt like I wasn't meeting their expectations. The older I got, the further disconnected I got from the church that my family belonged to and from my family as well." (Interview, 2019).

He continued in school, playing sports there and through the church. He did not get into trouble when he played sports, but he was not allowed

to go to the team parties. He did not develop an identity outside of the family and church and was feeling more and more like he did not fit in. He said he felt lost. By age seventeen, he felt disconnected from and was rapidly losing interest in the church, in its teachings and in its expectations for young men. This in turn set him apart from his family.

After graduating from high school, Roberto started work as a cook in a restaurant; and this is where he saw actual illegal drugs for the first time. He already knew a bit about drugs but had been pretty sheltered from their impact. Roberto continued to be exposed to the drug world through colleagues at work and now at sporting events. It seemed everyone he knew was using, and he eventually did cocaine, alcohol and weed as though it was commonplace. He met people who used extensively but also maintained a job. His drug use gradually increased, even as he was employed.

According to Roberto:

“I started hanging out with these guys, and I felt alienated from my family and the church. I felt like a puppet, hanging out with the guys and sort of getting involved more and more in drugs and crime. I saw myself as becoming a gangster – that was pretty cool. The lifestyle was fun – I was fascinated by it. Now I was starting to feel like I fit in, to belong. Now, people were calling me to buy drugs and there were girls around all the time.”

“My life went downhill fast after that from the age of eighteen to age twenty-four. I was with my new friends 24/7 and would go long periods of time without seeing my family. I experienced a lot of the ugliest things that life has from my addiction, and my life was going to get worse as time went on, but the shock to my system was the complete 360 degrees my life had turned and how naïve I was about the world I had entered.” (Interview, 2019)

Roberto began selling drugs as soon as he started using. He enjoyed the money he could make. He quickly learned to go-with-the-flow in his new lifestyle which also gave him a sense of being his own person, a sense of purpose. He liked being a rebel. He accepted the lifestyle – the violence, drug use, weapons, selling drugs, working on and off, and getting high, always getting high. He was drawn

to casinos but blew whatever he won. He often was beaten up then robbed.

“Once I got into addictions, it was all a game – stealing and using. It was pretty bad when I got to the point of robbing an old lady in a mall. I tried to take her purse, but she held on real tight. I knocked her over and didn’t even care what happened to her. I was always trying to get high, to make a dollar.”

“I had no idea how twisted my thinking and behaviors had gotten; to me, it was the new normal. I would jump to conclusions on a regular basis, basing my actions on a conclusion that I had made up in my mind to be true when in reality it couldn’t have been further from the truth. I was an all-or-nothing thinker. I felt I was a bad person; therefore, nothing I could possibly do would be good, so I might as well continue on the path I was on.” (Interview, 2019)

When he was nineteen, he met a young woman and they became close, eventually living together. She condoned his drug use, even as it continued into addiction. This relationship lasted for eight years, with a number of ups and downs, including break-ups and reconciliations. The woman became pregnant and had their baby in 2013. This was a wake-up call for Roberto, who felt the beginning of a new purpose in his life now because of the child in his life. His family learned about the baby, and his dad pressured him to get some help. So, after years of using and dealing, Roberto decided to go to a treatment centre. He confessed his addiction there but continued to use drugs and alcohol and was soon kicked out of the treatment program.

Roberto reflects that “To me, the lifestyle became more addictive than the drugs. In my addiction, I was very much a thief. Everything became a game – using, stealing, lying, cheating. It was interesting to see how ingenious I became just to get myself some drugs. I became proud of how I did things, even with all the core beliefs and morals I had from before. I even faked a robbery of my parents’ home to cover for me stealing two laptops from them. That’s how bad it got.”

“I got involved doing thefts and dealing outside the city. Lots of drinking and drugging in the

city, too. I dealt in bars and wherever I was. I hung out with really grungy people, and I even got into buying and selling handguns. I would sometimes have no place to stay. My parents took me in from time to time; but I didn't follow their rules, so out I would go. I would go on benders for a week, up all night, and I looked like shit."

"One of the biggest shocks to me when I started selling drugs and getting into that lifestyle was that I had never before seen that side of this world, you know? It was interesting because I stopped going to church where this belief in God was instilled, and it wasn't until I had experienced a lot of the ugly stuff on this earth that I really re-affirmed my belief in God. I definitely believed in evil, this darkness. A lot of the things I would see or do I wasn't okay with, but it seemed I wanted to be a part of it – I didn't want to be alone. The one thing that gave me a sour note was all the violence. I got accustomed to seeing that, even doing it. So, to be around very violent, angry people really molded me. I was at a very naïve point in my life. I kinda just went with whatever was presented. I still wasn't really aware of what was going on but I knew I was part of whatever was happening."

"Looking back now, there was a lot of just taking advantage of other people. That's all it is. There is always an agenda, you know. We're gonna rob this guy or rough him up – just to intimidate people. I turned into a menace, I think. I kinda liked the rep that it gave me. I remember walking around, enjoying when people looked at me then looked away real quick. It is kinda cool, you know. I really enjoyed having that power that came with being bad. As a kid growing up, I learned there were consequences to being bad but now I learned there were no real consequences. I felt like a bad-ass. I wore it. I knew I had to play this role, so I started wearing it – I enjoyed it. I was very susceptible with other people – to just getting high and stealing"

"I'd always be wearing these masks – show different sides of me to different people. I didn't have any interaction with my family, my spouse at the time, or friends from back-in-the-

day who were trying to help as they could see that I was in a bad place. I was swallowed up by my addiction and that was all that I was at the time. I couldn't control my anger or my emotions. I'd always be running from stuff and wouldn't face anything. I took out my anger and frustrations on other people – all the people who were vulnerable and I could exploit. I hung around with people who would canvas the neighborhoods where they were working, then go back at night and on weekends to steal heavy equipment, expensive truck tires, trailers and so on – just break into the yards, take what we could get, then take off." (Interview, 2021).

Violence had become a central theme in Roberto's life. There were times he was beaten up and his clothes stolen; other times it was his drugs that were stolen. One time, when Roberto and an accomplice were fleeing a theft scene in a vehicle, he figured he was about to get stabbed and left on the side of the highway.

"That life was pure chaos. In a span of two months, I was shot at, went into houses with the sketchiest of people, using, selling – a kind of a robot. It was all about the drugs and I was literally a block from my parents' house. It was crazy."

"It was like a roller coaster. I lost the power of choice – I couldn't stop using, no matter what. I got into chaos situations real quickly. The only person that communicated with me was my dad and he saved me a few times; three times took me out of bad situations, took me back home once, rented a room for me on two occasions, bought my groceries, gave me a little bit of money. It was nice to get out of these chaotic situations. I liked the regular people, the quietness, birds singing – yet I always fucked things up by going back to dealing. I thought I had to keep my options open. When I was using, I was good at making commitments but then not following up". (Interview, 2019)

By 2017, Roberto was facing three trafficking charges for selling controlled drugs (fentanyl and cocaine) to undercover police officers, possession of cocaine for the purposes of trafficking and



three charges related to the proceeds of crime, in addition to theft and breaches of probation charges. Also at this time, he learned he was under investigation by police for a possible charge of manslaughter because one of his suspected clients had died from an apparent overdose of fentanyl. In short, he was now in very deep shit.

Roberto explains how “One time, when I was in custody in a remand centre for two months, I looked around and thought, “Wow, this is an evil place; like, it is really sickening.” This is when I first realized how much worse life can get. But what really was odd about the situation was how quickly I became comfortable in there. To me, that just means I am evil, too. Up to now, I just thought selling drugs was normal, not really terrible – I was just providing a service. I had a moment of clarity real quick because I wanted to be out of there, especially when I had my daughter on my mind.”

“But two months prior to sobering up, I was at a drug house in the city, preparing a package to go back into the remand centre. You know, I never put anything in my bum before, but little did I know that you can put an ounce of meth in there, a half ounce of shatter, a half bale of tobacco and some guy wants you to stick a lighter in there, too. I’m not putting a lighter in my butt. Are you crazy? Yah, there’s a cubby hole back there; I never knew that!”

“I was in custody on remand for four months on three charges of trafficking. When I raised enough money for bail and got out, I didn’t know what to do. I was couch-surfing again, everywhere was chaotic – it was hell; I was just wandering, really. But I knew I had to get into treatment, so I applied to a treatment centre. More importantly, I decided to quit drinking.”

“The first staff member that I met at the treatment centre gave me the love of the Big Book. I could feel his passion for it, but I didn’t believe any of it at first. I had to call in every day until I got accepted. A few days later, I got the call that I had been accepted so I went and just started going through the motions, doing whatever they said. I went to meetings – AA (Alcoholics Anonymous) and NA (Narcotics Anonymous). I met people who were faking it and others who were loving and caring. I felt

so alone but someone recognized me and called me by name. I couldn’t understand how or why he would do that, but that impressed me. I think he saw the hurt in my eyes – that touched me.”

“I’ve come to believe that the Big Book saved me. The things it covers – all those things we experience in addiction – can change. It talks about fear. It took me ten months to realize I did not have to fear things – recognize it, accept it, but question it. The Big Book’s promise to me about fear came true; I just couldn’t believe it! Now I see the little miracles every day at work, and it’s really cool that I get to be part of it. Before, I wasn’t part of anything good – now I am!”

For three months at the treatment centre, I just did what they said, whatever they asked me to do; that was the first time I was accountable. This kinda gave me purpose, some responsibility. My parents could see I was changing, so they agreed for me to see my daughter at their place. A friend at the center told me about Drug Court so I told my lawyer and I got accepted within a month. My probation officer could see what I was doing – all the changes. When a friend died of an overdose involving fentanyl, I now took it as a message – before, I would just use. Now, my perspective was changing. I came to understand the Big Book’s teachings of acceptance and being obsessed with alcohol”.

To this point, Roberto had been in deep chaos for more than three years. This included being charged with some very serious offences—trafficking in a controlled drug—fentanyl. According to Drug Court officials, he was selected to take part in the program because he was facing serious charges and it seemed he had quit drinking. Also, Roberto was faced with a decision: be sentenced up to three and a half years imprisonment or take part in the Drug Court program. He decided to do the program and for the next 13 months, he whole-heartedly threw himself into it.

The Drug Court program is an intensive one year (minimum) court-supervised drug treatment program that helps participants break the cycle of crime and addiction, learn to live a life free

of addiction to drugs, make amends for past crimes and continue on to become a productive and contributing member of society. Drug Court appearances take place weekly. The purpose of the drug treatment court is to restore justice in the community through reduced recidivism, less victimization and to reduce overall expenditures of the courts, legal, corrections and human service systems. The goal of the drug treatment court is to support drug addicts as they rebuild their lives and learn to live a lifetime in recovery.

ROBERTO'S 13 MONTHS IN THE DRUG COURT PROGRAM

- **Attended court sessions every week** where his conduct and attitude were reviewed by program staff, in open court, and presided over by a Judge
- **Provided 86 clean screens** (random urinalysis)
- **Attended 303 recovery meetings** (AA, CA, NA)
- **Volunteered 317 hours** with community agencies
- **Attended Treatment Centers**, where the programs ranged from one week to three months
- **Completed programs** with a variety of social agencies in the city such as
 - First Aid
 - Therapeutic Counseling
 - Communication
 - Managing Emotions
 - Mentoring
 - Big Book Study
 - Financial Literacy
 - Parents Empowering Parents
 - Family Dynamics
 - Criminal and Addictive Thinking
 - Parenting
 - Leisure Activities
 - Overall Physical Health and Well-being
 - Mental Health and Forensic Assessment
 - Healthy Meal Planning
 - Personal Training
 - Nutrition and Meal Planning
 - Eating Well
 - Retaining Medical Professionals (Family Doctor, Dentist, Optometrist)

At his Drug Court graduation, the courtroom was packed. It was a noisy place, with people talking excitedly and loudly about sobriety, recovery, visiting with friends, wishing each other well, hugging, and in general celebrating the journey to normalcy. There were about sixty people in attendance, comprised of those currently in the program, some of the accused who were in custody and gained permission to observe the proceedings because they had expressed interest in the Drug Court program, a handful of Drug Court grads, friends and family, including Roberto's six-year-old daughter, who followed him everywhere he went in the courtroom, at times clutching his leg and holding on to his hand.

A gowned Clerk of the Court emerged from a door in the corner of the courtroom and announced, "All rise. Court is now in session. Please ensure your cell phones are turned off!"

Gradually, people quieted down, and order was established in the courtroom.

The manager of the Drug Court program rose from her chair in front of the judge. "Your Honour" she said proudly, "today we are celebrating the achievements and graduation of Roberto. Roberto, will you take the stand?"

Roberto had been standing in the courtroom, beside his father. He slowly walked to the witness stand next to the judge's dais. There, he stood nervously as he listened to program staff, including the prosecutor, legal aid lawyer, probation officer, program manager, other drug court staff, previous grads and community agency representatives as they approached him one by one and reported on the remarkable progress he had made over the past year. Reference was made to the sanctions he received for failing to disclose part-time employment and failure to carry out volunteer hours on one day. Reference was also made to the rewards he received, such as curfew extensions, gift cards, an Achievement Award certificate, and reductions in the number of recovery meetings and court appearances, all in response to his ongoing progress in the program and his self-motivation.

A hush descended over the courtroom as Roberto's mother, father and sister came forward to speak. His dad spoke quietly about the hurt their family

experienced when Roberto was out of control. He then spoke about the pride and love their family now feels, given all the positive changes Roberto had made. Roberto's younger sister spoke of her joy at seeing him return to normalcy. Roberto's daughter repeatedly hugged her dad.

When all the accolades were finished, the judge confirmed a sentence of one day's imprisonment, to be served by today's appearance in court. She then rose from her chair, descended a few stairs to the witness stand, gave Roberto a large, framed certificate and a big hug! Roberto and the judge quietly exchanged smiles, a warm handshake and a thank you with each other.

Everyone in the courtroom stood at attention, cheered and applauded. Tears were evident in many eyes.

When he and I recently met, Roberto reflected on his Drug Court experience:

"It was an overwhelming experience but there were lots of supports in place to help me succeed. It became easier after a while. I was resentful towards the staff at having to attend more treatment programs, but I eventually came to accept that they were there for my support and not to bring me down. I started to hear the same things over and over, like communication, managing emotions, parenting and so on—but I realized that lots of things like these I thought I had learned before didn't really sink in. I guess I was not really ready to learn them. I saw that the Drug Court program was part of my recovery, so I just had to do it. I would never have realized I needed accountability and structure in my life without Drug Court. A lot of the qualities and attributes that come from completing this program are just basic stuff I didn't have and didn't know about. A lot of the programs they sent me to were things I would never have done on my own."

Roberto has recently travelled the province testifying about the importance of the expanded Drug Court program with local service agencies and provincial political leaders. Recently, he attended a meeting of the Edmonton Police Commission to promote Drug Court. There, he shared a heart-felt story about his encounters with police and how

these experiences saved his life by landing him in the Drug Court program.

He has regular meetings with a psychologist, who helps him come to new levels of acceptance of his past as well as seeing new areas to be addressed. Roberto is enrolled part-time in university courses, thus fulfilling a 15 year dream.

Roberto is now steadily employed as a full time Peer Support Worker with Alberta Health Services, Addiction Services Edmonton. He also works part-time for the Drug Court Program, supporting and encouraging those currently in the program. Roberto also has a contract as a facilitator with a parent group, working with addicted youth. He has reconnected with his family, is active in leisure activities such as sports, watching TV with family and friends, gardening, hiking, dating and is spending more and more time with his daughter. He continues to attend recovery meetings and has become involved at the international level with recovery associations.

"I don't question where my life, my path, has taken me. Some things weren't so necessary to go through but with most things, I think they were."

"The strength and self-esteem gained from partaking in drug court is something I truly value and am grateful for. I see it as a blessing in my recovery to have gotten picked and accepted into this program, and to have three and a half years I was looking at in prison time wiped away with a program that not only allowed me to not go to prison but gave me all sorts of programming that has supplemented my recovery and made me a better man today."

"Now I can see how much I have changed – my debts are paid, my job is fulfilling, family connections are growing. I see the miracles we do at work every day and it's really cool. I've seen so much misery and regret. Before, I always had so much fear so I would use. I now can't justify throwing my life away. I have found the recipe that works for me."

"It's amazing how much energy you get from natural highs in life."

In my view, Roberto has made remarkable positive changes in his life in the past four years. He is confident that his days of chaos are behind him. I share this view as well. It will be exciting to see what this remarkable man will achieve in the future, knowing how he came from an ordinary church-going family and descended into years of drug abuse, crime and chaos to emerge a new man well on his way to normalcy and even more success. ■

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RÉSUMÉ

Roberto Continued...

DOUG HECKBERT

Doug Heckbert, comme d'autres acteurs du système de justice canadien, tient à l'idée d'une éducation à la justice pénale. Le public a besoin d'entendre autre chose que les reportages sensationnels et souvent exagérés des médias sur d'horribles crimes. Il doit également être mis au courant des nouvelles lois ou règlements, comme l'abolition de l'isolement cellulaire par exemple, qui peut donner aux gens l'impression que notre système est défaillant. Ce manque de confiance à l'égard de la sécurité publique peut être effrayant et amener les citoyens à remettre en question l'efficacité du système de justice pénale. Doug Heckbert a également souligné (2020) que les personnes travaillant dans le domaine de la justice pénale s'habituent aux critiques et aux commentaires négatifs, mais qu'elles taisent souvent les succès de la justice pénale pour des questions de confidentialité. Pourtant, le public a besoin d'entendre parler du bon travail effectué par les responsables de la justice pénale et des histoires d'accusés qui changent d'attitude et de comportement, et même littéralement « de vie ». Leur réussite est aussi la nôtre. M. Heckbert demande aux responsables de la justice pénale de s'engager à « diffuser les bonnes nouvelles » au lieu de laisser cette tâche aux médias. Les histoires de réussite ne sont pas seulement une source d'inspiration pour toute personne qui se frotte au système de justice en raison de son style de vie ou de ses problèmes personnels, ce sont aussi des sources d'information sur les services disponibles. De plus, elles montrent qu'il est possible de « s'en sortir ».

JUSTICE

ACTUALITÉS - REPORT

CALL FOR ARTICLES

SPECIAL CALL SUCCESS STORIES IN THE CANADIAN CRIMINAL JUSTICE SYSTEM

2022

37.1 ► Impact of PTSD or Stigma on the Criminal Justice System = December 2021

37.2 ► General Topics = mid-February 2022

37.3 ► To be determined – Success stories content permitting = mid-June 2022

37.4 ► General Topics and Congress 2022 recap = mid-September 2022

Submissions vary from 750 words to 1800 words including references. Longer articles may be accepted.

APPEL À ARTICLES

APPEL SPÉCIAL HISTOIRES DE RÉUSSITE DANS LE SYSTÈME DE JUSTICE PÉNALE CANADIEN

2022

37.1 ► Impact du syndrome de stress post-traumatique (SSPT) ou de la stigmatisation sur le système de justice pénale = décembre 2021

37.2 ► Sujets généraux = mi-février 2022

37.3 ► À déterminer – selon le contenu des histoires de réussite = mi-juin 2022

37.4 ► Sujets généraux et le point sur le Congrès 2022 = mi-septembre 2022

Les articles soumis varient de 750 mots à 1800 mots, références comprises. Des articles plus longs sont parfois acceptés.

Entre l'universel et le comparé : vers une criminologie authentiquement nationale et africaine

CHAHID SLIMANI

Enseignant-Chercheur. Professeur de Criminologie à la FSJES, USMBA, Fès, Maroc. Membre du Laboratoire ESSOR.
Membre de l'association canadienne de justice pénale.

Animés par l'ambition d'encourager et de stimuler le développement d'une criminologie authentiquement nationale et africaine, les chercheurs marocains et africains peu nombreux doivent faire face à une réalité peu encourageante. L'enseignement et la recherche criminologiques demeurent « provinciaux ». Les connaissances sont dispersées et inorganisées. Comme dirait le professeur canadien Denis Szabo, il s'agit des « chercheurs ésotériques » et des « pamphlétaires aigris ». Nous attendons toujours la maturation et l'émancipation intellectuelle et scientifique d'une équipe de chercheurs marocains et africains de carrière universitaire épris d'idées pour introduire l'esprit de renouveau. Un long chemin reste à parcourir. L'approche canadienne en la matière balisera ce chemin vers le développement de l'enseignement d'une criminologie universelle et comparée.

INTRODUCTION

La criminologie par ses aspects multidisciplinaire, théorique, et appliqué, s'impose légitimement comme une discipline-carrefour vers laquelle convergent toutes les connaissances sur le phénomène criminel (Normandeau et Cusson, 1996). Une discipline-carrefour (Slimani, 2011) ainsi qu'une science, la criminologie permet l'étude scientifique et objective des facteurs et des processus de l'action criminelle, tout en déterminant les moyens de lutte acceptables éthiquement pour la prévenir et la réduire. Etant porteuse d'une critique sociale (inégalité effective des gens devant la loi, l'inadaptation et l'inefficacité des législations et des mesures de protection sociale, etc.), la criminologie propose une grille de lecture indispensable pour la compréhension du phénomène criminel. Le début du dernier siècle (1905-1910) a connu une remarquable floraison de l'activité de recherche en matière de criminologie qui ne s'est interrompue que durant certaines périodes pénibles comme

entre les deux guerres mondiales. Cette floraison de la recherche a très vite trouvé les structures de recherche de qualité pour les englober et les parrainer. Certes, l'ère des chercheurs isolés était révolue (Pinatel, 1964), mais les criminologues européens, les pères fondateurs, en péchant par ethnocentrisme avaient tenté dès le début de généraliser les résultats de l'étude de l'action criminelle dans quelques pays européens à toutes les sociétés et cultures, ne disposant même pas de données sérieuses ou d'échantillons représentatifs de ces pays. Adeyemi (1977), criminologue africain, en s'exprimant au sujet du rôle du facteur culturel dans les relations entre la criminologie occidentale et la criminologie africaine, reconnaît l'universalité de la criminologie comme discipline scientifique, mais met en garde contre l'application sans discernement des théories faisant appel aux variables culturelles.

I. L'ENSEIGNEMENT DE LA CRIMINOLOGIE AU MAROC

Au Maroc, la situation semble moins satisfaisante et l'activité de recherche en matière de criminologie inexistante, sinon isolée et trébuchante. Certains ministères (l'intérieur, la justice etc.) se réservent seuls l'exploitation d'une gamme étendue d'informations. Ce genre de monopole officiel sur la question de la criminalité au Maroc est une carence dont souffre la communauté des chercheurs et des universitaires. Ces données ne sont pas publiées, ce qui semble affecter sérieusement l'activité et la productivité scientifiques des chercheurs marocains en matière de criminologie dans leur propre pays. L'exil des compétences les plus qualifiées témoigne de cette frustration. Le Maroc n'arrive pas encore à se démarquer du système installé par le maréchal Hubert Lyautey, le résident général au Maroc durant le protectorat français en 1912. Un système malthusien, hiérarchisé et ségrégationniste selon Daniel Rive (1988).

L'enseignement de la criminologie au Maroc reproduit les mêmes carences des facultés françaises, c'est-à-dire un simple enseignement théorique rudimentaire qui n'a aucune vocation pour développer les recherches et qui ne s'appuie sur les travaux d'aucun organisme de recherche affilié et ne procure aux étudiants aucune formation pratique. Une première explication de ce retard scientifique viendrait certainement de l'immense décalage qui existe entre la naissance de la criminologie et son institutionnalisation scientifique en France et donc au Maroc et en Afrique. En France, la criminologie a été dès le début associée au Droit. En Italie par contre, elle est le prolongement d'une tradition clinique qui remonte à Cesare Lombroso, alors qu'en Amérique du Nord, la tradition criminologique est nettement celle de la sociologie Normandeau et Cusson (1996). Il est tout à fait possible aujourd'hui pour un doctorant de proposer un projet de thèse pour un doctorat en criminologie au sein d'un laboratoire de recherche spécialisé en droit privé, mais dans le cadre actuel et les carences graves dont souffre la recherche universitaire en matière de criminologie, peu d'étudiants s'aventurent. Les connaissances étant dispersées et inorganisées. Il est assez révélateur de connaître le nombre insignifiant de thèses de doctorat en criminologie soutenues dans les facultés de droit marocaines

jusqu'à aujourd'hui. Les recherches et les travaux en la matière de la génération qui précède semblent inexistants. Nous attendons toujours la maturation et l'émancipation intellectuelle et scientifique d'une équipe de chercheurs marocains de carrière universitaire épris d'idées pour introduire l'esprit de renouveau. Un long chemin reste à parcourir.

II. LE DÉVELOPPEMENT D'UNE CRIMINOLOGIE ORIENTÉE VERS L'ÉTUDE DES RÉALITÉS NATIONALES

Le polycentrisme scientifique qui s'impose désormais à l'échelle du monde encourage les chercheurs et les criminologues africains, asiatiques et autres à mettre en lumière les différences fondamentales et profondes entre les sociétés et les cultures en matière de criminalité et de facteurs de risques etc., tout en utilisant les données et interprétations de nature universelle élaborées au fil des ans et constituant le noyau dur de la criminologie. Adeyemi (1977) cite l'exemple de la famille étendue et matrilineaire africaine qui a une dynamique sociale différente dans le processus de socialisation que la famille nucléaire d'origine européenne (Szabo, 1986, p. 13). L'Afrique connue pour ses sociétés traditionnelles à caractère rural, représente le type de sociétés dites intégrées. Toutefois comme l'explique Brillon (1980, p. 327), les changements rapides que le développement en Afrique apporte, tendent à saper toute cohésion sociale du groupe et risquent de favoriser la dégénérescence coloniale de toutes les valeurs ancestrales ; ce qui peut causer un effritement des liens sacrés de parenté ainsi que la disparition de toute justice et de tout esprit communautaire.

Le criminologue occidental est surtout appelé à sortir d'abord de son « ghetto », à être très attentif dans ses contacts avec le reste du monde, à ne pas projeter sur le reste du monde ses propres complexes, ses propres biais, caractérisés par la crise culturelle, et à attacher la plus grande importance à l'examen du facteur culturel dans l'analyse de la criminalité (Szabo, 1986, p. 31). Et comme le conseille Szabo (1986), il est préférable pour les pays du tiers-monde, de stimuler et d'encourager le développement d'une criminologie authentiquement nationale, voire africaine dans le cas de l'Afrique, alors que l'enseignement et le développement de la

criminologie comparée devrait passer par le développement des recherches criminologiques orientées vers l'étude des réalités nationales. (Szabo, 1986).

III. VERS L'ENSEIGNEMENT D'UNE CRIMINOLOGIE UNIVERSELLE ET COMPARÉE

Ce n'est que récemment qu'on peut constater l'émergence d'études intéressantes à propos de la criminalité et des crimes dans les pays du sud ou les pays du tiers-monde. On parle généralement de « criminologie comparée » (Szabo, 1978). Au niveau de l'enseignement de la criminologie comparée, il est souhaitable de développer et d'intégrer dans les universités marocaines et africaines ce précieux enseignement qui initierait les étudiants à l'étude des civilisations étrangères et élargirait leur formation aux horizons universels, car comme le remarquait Szabo (1986, p. 116), l'enseignement criminologique demeure « provincial ». Parmi les expériences et établissements les plus connus en matière d'enseignement de la criminologie, citons à titre d'exemple l'Université de Montréal au Québec qui a créé, en 1960 avec Szabo et au sein de la faculté des sciences sociales, le premier département de criminologie au Canada. Doté d'une double mission d'enseignement et de recherche et animé par une équipe remarquable de biologistes, de psychologues, de sociologues et de pénologues, ce département est semblable à celui établi à l'Université de Berkeley en Californie aux États-Unis en 1950.

En matière de recherche criminologique et d'enseignement de la criminologie, les propositions du Pinatel (1964, p. 328), sont à notre avis aujourd'hui encore d'actualité :

- Un enseignement académique vivifié par la recherche fondamentale et appliquée,
- La carrière universitaire devrait comprendre un stage d'un certain nombre d'années dans la section de recherche, préalable à l'accession à l'enseignement,
- Il est utile de prévoir des services de recherches à l'échelon gouvernemental indépendamment des organisations universitaires mais qui doivent partager leurs informations et données avec la communauté des chercheurs.

La coordination tant souhaitée entre l'université et l'administration trouverait alors dans un institut national disposant d'une large autonomie de gestion et où sont représentés les divers services de l'État ainsi que les criminologues engagés dans la recherche, comme le préconise Denis Szabo (1978), le cadre idéal pour assurer les conditions optimales de fonctionnement de la recherche (Ellenberger et Szabo, 1967). N'oublions pas aussi que la « recherche invisible » (Ellenberger et Szabo, 1967) est importante et décisive. Si le policier nous fait un rapport exact et complet sur un délit, le travailleur social une enquête consciencieuse, l'officier du pénitencier un dossier complet sur le comportement d'un détenu, le fonctionnaire une statistique exacte et précise des délits commis dans son district etc., nous aurons alors une base de données importante et fiable. Peut-on enfin être aussi optimiste que Denis Szabo et souhaiter la création au Maroc et en Afrique des écoles de criminologie qui prennent en considération le poids des héritages coloniaux et leurs impacts sur la société et la recherche scientifique.

Tant que la criminologie n'est pas reconnue comme une science autonome, elle aura des difficultés à s'imposer dans le champ de l'enseignement d'une nation. En fait, pour valoriser un savoir n'importe lequel et chercher à lui créer une place propre et convenable dans les institutions d'enseignement existantes, il faut le présenter comme une science autonome. La recherche scientifique ne joue en fait qu'un rôle mineur dans la détermination finale des politiques, mais elle demeure une contribution socialement utile et moralement nécessaire au débat public sur la notion du bien commun et les conditions de fonctionnement de la vie démocratique (Szabo, 1978). Il faut alors sensibiliser l'opinion publique sur l'importance et l'utilité de la recherche criminologique et de l'enseignement de la criminologie en général, car sans l'appui précieux de l'opinion publique, les criminologues praticiens deviendraient chômeurs et les professeurs de criminologie comme au Maroc et en Afrique, des « chercheurs ésotériques » et des « pamphlétaires aigris » (Szabo, 1986). ■

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ABSTRACT

Entre l'universel et le comparé : vers une criminologie authentiquement nationale et africaine

CHAHID SLIMANI

Professor-Researcher. Professor of Criminology at the FSJES, USMBA, Fez, Morocco. Member of the ESSOR Laboratory. Member of the Canadian Criminal Justice Association.

Driven by the ambition to encourage and stimulate the development of an authentically national and African criminology, the few Moroccan and African researchers are faced with a less than encouraging reality. Criminological education and research remain "provincial". Knowledge is scattered and unorganized. As Canadian professor Denis Szabo would say, it is a matter of "esoteric researchers" and "bitter pamphleteers". We are still waiting for the maturation and the intellectual and scientific emancipation of a team of Moroccan and African academic researchers who love ideas to introduce the spirit of renewal. There is still a long way to go. The Canadian approach in this matter marks a pathway for the development through teaching of a universal and comparative criminology.

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YOUNG RESEARCHER SECTION - The CCJA congratulates Megan Davidson as the recipient of a Mount Royal University scholarship, the benefits of which include CCJA membership and the publication of an article-style version of her winning paper—*The Underlying Prejudice in Canadian Kindness: A Critical Examination of The Treatment of Ingenious Offenders in Canadian Correctional Programming*—in the *Justice Report*!

The Underlying Prejudice in Canadian Kindness: A Critical Examination of the Treatment of Indigenous Offenders in Canadian Correctional Programming

MEGAN DAVIDSON

Criminal Justice Studies, Mount Royal University

There has been a steady flow of Indigenous individuals into the Canadian justice system and many people are wondering why. It has led some to question the integrity of the justice system and suspect a degree of structural discrimination within the Canadian correctional system's policies and procedures. Indigenous peoples face such criminogenic factors as substance abuse, poverty, family violence and unemployment. These factors should be considered through court-mandated assessments but are not always, due to lack of training or oversight. A small portion of Indigenous offenders ever complete the programs they are in and face long waits in starting correctional programming. Attempts must be made to reduce the dark figure of crime produced by unsolved or unreported crimes that make recidivism rates less accurate. As well, strategies must be implemented to reduce Indigenous recidivism and criminality. The recommendations for reducing Indigenous recidivism are simple in theory but will require a structural shift in Correctional Service Canada's treatment of Indigenous people and an acknowledgement of past and present social challenges, such as colonial displacement from land, residential school abuse, and lingering structural discrimination in our justice system. From lack of program completion caused by processing times and deficits in staff training, it is clear that the CSC needs to enact systemic change.

There is a prevailing belief that Indigenous recidivism rates have been steadily climbing over the last ten years. The rate at which individuals are returned to the Canadian correctional system leads one to question whether the support and reintegration programs currently deployed in the Canadian correctional system are functioning appropriately—or if an underlying bias of oppression and colonialism is still at work. One of the primary measures of correctional practice efficacy is recidivism rates (Stewart & Miller, 2019, p. 1), which Canada defines as being as “based on

reconvictions that resulted in returns to federal custody or provincial or territorial sanctions” (Stewart et al., 2019, p. 1). Recidivism, however, means different things to different researchers. Saris et al. (2016) confirm the common definition as “an individual's return to criminal behaviour after receiving a sanction or intervention for previous criminal behaviour (cited in Stewart & Miller, 2019, p. 1). While theoretically sound, the Canadian federal government's definition of recidivism poses transparency challenges in data presentations. The Correctional Services Canada recidivism data relies

on readmissions to federal custody and admissions to provincial or territorial custody, which does not reflect data on all crimes committed. For example, it can't possibly account for any number of unknown/unreported crimes and excludes sanctions placed for minor offences as some agencies do not report them (i.e., misdemeanours, fines, traffic offences as well as lower impact crimes).

While potentially flawed, the monitoring of successful rehabilitation through recidivism outcomes is nonetheless key to understanding not only the social factors driving recidivism in Canada but also the effectiveness—or not—of programming for overrepresented populations within our criminal justice system, who tend to be underprivileged or members of certain minority groups, or both. Canada's Indigenous populations are the most overrepresented, making up almost thirty percent of federal adult inmates currently in custody (Malakieh, 2019, Table 4). As noted, this number has been consistently growing, with a 9% increase in correctional population growth in the last ten years (Malakieh, 2019, Table 4). Through understanding the Indigenous criminal population and critical analyses of pre-existing traditional support systems currently in place have made it easier to fathom the legacy of prejudice underlying the Canadian correctional system's policies and procedures.

A SKEWED PICTURE: RECIDIVISM RATES FOR CANADA'S INDIGENOUS PEOPLE

As previously mentioned, recidivism data is, in general, largely underestimated due to the dark figure of crime, as well as a lack of information sharing betwixt the provincial or territorial court systems in the collection of the statistics (Bonta et al., 2003 cited in Stewart & Miller, 2019, p. 1). Therefore, an absolute claim cannot be made as to the rate of recidivism let alone reductions in it, as many offenders may not be caught committing offences or may be sentenced to provincial or territorial custody, not accounted for in federal statistic reports (Stewart et al., 2019, p. 1). The authors found that those released later into their sentence had lower rates of recidivism, which may speak to the effective use of programs and interventions on the part of the correctional system (p. 51).

However, this also speaks to the demographic disparity amongst Indigenous and non-Indigenous offenders and the unique criminogenic features

within the specific carceral populations (Stewart et al., 2019, p. 51). Canada's Indigenous populations face higher rates of substance use disorder (Beaudette & Stewart, 2016), poverty, family and child violence, unemployment (Stewart et al., 2017), and are younger at the time of their release than non-Indigenous individuals, with the median age of non-Indigenous men upon release being 36 years old and 32 for Indigenous males (as cited in, Stewart et al., 2019, p. 52). Indigenous individuals made up roughly 4% of Canada's population in 2017/2018, however, they now make up 30% of correctional custody, up by over 10% between 2007 and 2008 (Malakieh, 2019, Table 4).

While the Indigenous populations in correctional facilities are released at a younger age statistically due to the fact that they are younger when they commit their crimes, due to the low rates of parole grants, Indigenous offenders tend to be released later in their sentence than other inmates, such as at their Warrant Expiry dates or on Statutory Release (Office of the Correctional Investigator, 2008, section "Outcome Gaps"). Those Indigenous offenders who are released on parole or statutory release tend to have a higher rate of revocation for administrative reasons (Office of the Correctional Investigator, 2008, section "Outcome Gaps"). During 2017/2018, 72.5% of Indigenous individuals were released on Statutory Release, which is 12.5% higher than for the general population (60%) (Zinger, 2018, section 4). Of those released, 39% of those on Statutory Release were returned to federal corrections for revocation (Zinger, 2018, section 4). This may be due to the routine use of the higher classification of needs and risks in prison, as well as the group's immense over-representation in maximum security facilities (Office of the Correctional Investigator, 2008, section "Outcome Gaps"). Further, Indigenous offenders made up 36% of all admissions to segregation in 2017/2018 (Zinger, 2018, section 4). This all leads to many offenders being released from the facility directly, without supports and graduated programs for re-entering the community (Zinger, 2018, section 4).

This discrimination, with its structural application within the justice system, is also seen in the high victimization rate of Indigenous groups as noted in Greenfield and Smith's (1999) study (as cited in, Gutierrez et al., 2013, p. 80). It is further noted in the dysfunction of the family life of the majority of Indigenous inmates, with LaPrairie (1995) finding

that three quarters of prisoners being raised in step- or foster-parent homes with many facing abuse (as cited in, Gutierrez et al., 2013, p. 80).). This environment that many Indigenous individuals are forced to endure culminating with systemic prejudice and colonialism creates a hostile but fertile breeding ground for criminality.

PROGRAMS AND SUPPORTS FOR CANADIAN INDIGENOUS INDIVIDUALS

As of 2016/2017, only 20% of Indigenous offenders had finished the programs they received to prepare for their release by the time they were first eligible to be released (Zinger, 2017, section 4). In fact, the average Indigenous offender had a five-month wait to begin correctional programming (Zinger, 2017, section 4). The Office of the Correctional Investigator notes in his annual report that the Correctional Service Canada (CSC) does not have the assessment tools to know if Indigenous programming, such as elder services and healing lodges, help inmates when it comes to reintegrating into the community (Zinger, 2017, section 4).

Many of the Correctional Services of Canada's programs for offenders are based on cognitive-behavioural therapy (CBT) (Usher & Stewart, 2011, p. 2). CBT teaches life skills and coping mechanisms aimed at changing maladaptive behaviour and thoughts (Usher & Stewart, 2011, p. 2). It has been found that CBT treatments are more effective in treating antisocial behaviour and reducing the risk of recidivism than many other behavioural based programs (Usher & Stewart, 2011, p. 2). Landenberger and Lipsey's (2005) meta-analysis found that offenders who went through a CBT treatment program, recidivism was reduced by 25% (as cited in, Usher & Stewart, 2011, p. 2).). They also showed that Aboriginal offenders who went through CBT treatments, either Aboriginal-focused or general, had one and half times better odds to not recidivate (Usher & Stewart, 2011, p. 11).

RECIDIVISM RATE RECOMMENDATIONS

It may be impossible to ever have an absolutely clear picture as to the impact of programs, such as healing lodges, on Indigenous offenders in the absence of a standardized collection of statistics on recidivism rates between federal and provincial or territorial sanctions (Office of the Auditor General, 2018, cited in, Stewart et al., 2019, p. 2). While the dark figure of crime will always exist, the connection between the

two levels, federal and provincial, of the correctional system should be built on communication and common sense. The current Canadian system of calculating recidivism will always result in an under-estimation of the actual rate (Stewart et al., 2019, p. 2). Furthermore, two years is the general follow-up time frame (See Bonta et al., 2003; Ontario Ministry of Community Safety & Correctional Services cited in Stewart et al., 2019, p. 4) for Canada, however, it has been shown that the longer the research follow-up times from release, the higher the rates of recidivism (Stewart et al., 2019, p. 2). There is no gold standard as to the length of follow-up times in recidivism studies, which can vary internationally from two to eight years (Stewart et al., 2019, p. 4); however, it raises the question of at what point do Canadians consider individuals to be rehabilitated, meaning they are no longer be at risk of recidivation.

INDIGENOUS RECOMMENDATIONS

While it has been shown that programs such as CBT treatments are successful for reducing recidivism (Usher & Stewart, 2011, p. 2), access to those treatments for Indigenous inmates may be limited. The Office of the Correctional Investigator (2017) has found that referrals to programs and CSC assessments for Indigenous individuals can be delayed for extended periods of time, an average of five months, due to a lack of information from provincial or territorial courts (section 4). Furthermore, the office found that further training is needed for CSC staff related to individual social history in the considerations made in Aboriginal case management decisions, as many Indigenous individuals receive higher security classifications leading to their placement in higher level security institution due to a lack of training and one-sized-fits-all security assessments (Zinger, 2017, section 4). This means a small portion of Indigenous offenders are able to complete rehabilitation programs by their release date (Zinger, 2017, section 4). To correct this issue, the Office of the Correctional Investigator (2017) recommends a greater reliance on Section 81 agreements (section 4), which are made between the Minister and an Indigenous governing body or organization to provide the correctional services on behalf of the CSC (Corrections and Conditional Release Act, CRC, c 20, s 81). This allows for the care of medium-security offenders to take place with community supports, such as Healing Lodge facilities, making the Indigenous offender's community part of the reintegration process (Zinger, 2017, section 4).

The recommendations for reducing Indigenous recidivism are simple in theory but would require not only a structural shift in the CSC treatment of Indigenous individuals but also an acknowledgement of the past and present social challenges they face, such as the effects of colonialism, displacement from land, trauma inflicted by residential schools, and the current structural discrimination within our justice system. This is being fought through cases such as *R v. Gladue* (1999) and *R v. Ipeelee* (2012), both of which set a precedent on how the courts and other justice agencies should note the inequalities that Indigenous individuals face, such as high rates of unemployment, low rates of education, low income, and high rates of substance abuse and suicides (Office of the Correctional Investigator, 2008, section “Factors Impacting Over-representation”). Where the criminal code mandates the courts to use prison as a last recourse, it is supposed to be favoured for Indigenous people. Further, Section 79 (1) and (2) of the Corrections and Conditional Release Act notes that “systemic and background factors” and cultural identity can only be taken into consideration to decrease the level of risk posed by an offender (Corrections and Conditional Release Act, CRC, c 20, s 79). However, as noted in the *R v. Gladue* (1999) and *R v. Ipeelee* (2012) cases, this has not been consistently applied due to what could be a lack of training or bureaucratic inefficiencies (Zinger/OCI, 2017, section 4).

CONCLUSION

While Canada has come a long way from the original days of colonization, its effects are still present today. There is still underlying prejudice that Indigenous individuals face in the Canadian Justice system as a whole and within the CSC's policies and procedures. From lack of program completion due to processing times and lack of staff training, to the indistinct picture of actual recidivism rates it is evident that the CSC needs to enact changes to the system. While this would represent a large and costly change, the over-representation of Canada's Indigenous populations must be corrected. This population makes up roughly four percent of the Canadian population but are represented over seven-fold in Canadian prisons (Malakieh, 2019, Table 4). Correctional Investigator reports have brought this up as a CSC problem for the last 10 years at least (Office of the Correctional Investigator, 2020, section “Annual Reports”). Despite these calls to action, it is clear that the message

is not being heard, with a 9% increase in the last ten years in Indigenous correctional populations (Malakieh, 2019, Table 4). Canada is known for its kindness and equality for all. When will the Canadian Justice system start living by this standard? ■

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RÉSUMÉ

The Underlying Prejudice in Canadian Kindness: A Critical Examination of the Treatment of Indigenous Offenders in Canadian Correctional Programming

MEGAN DAVIDSON

Il y a eu un flux constant d'Autochtones dans le système de justice canadien et beaucoup de gens se demandent pourquoi. Cela a amené certains à remettre en question l'intégrité du système de justice et à soupçonner un certain degré de discrimination structurelle dans les politiques et les procédures du système correctionnel canadien. Les peuples autochtones sont confrontés à des facteurs criminogènes tels que la toxicomanie, la pauvreté, la violence familiale et le chômage. Celles-ci devraient, en droit, être prises en compte dans le cadre d'évaluations mandatées par les tribunaux, mais ne le sont pas toujours, en raison d'un manque de formation ou de surveillance. En raison de l'obligation d'attendre des renseignements auprès des tribunaux, une faible proportion de délinquants autochtones fait face à de longs temps d'attente pour les programmes correctionnels et termine rarement les programmes une fois commencés. Il faut s'efforcer de réduire le chiffre sombre de la criminalité produite par les crimes non résolus ou non déclarés qui rendent les taux de récidive moins exacts. De plus, des stratégies doivent être mises en œuvre pour réduire la récidive et la criminalité autochtones. Les recommandations visant à réduire la récidive autochtone sont peut-être simples en théorie, mais elles nécessitent un changement structurel dans le traitement des autochtones par le Service correctionnel du Canada. Pour ce faire, il faudra reconnaître les défis sociaux passés et présents. Il est clair que le SCC doit adopter des changements systémiques. Mais comment faire ?

Training Anti-Fraud Professionals and Managing Anti-Fraud Operations: Challenges and Opportunities

KATELYN WAN FEI MA

PhD Candidate

Department of Science and Technology Studies, York University (Toronto, ON)

katewm@yorku.ca

As financial transactions move online, financial crimes also transition to cyberspace. The technological intricacies, social implications, and economic challenges implicit in cybercrime are pertinent concerns for the digital era. While the financial sector relies heavily on anti-fraud professionals to investigate and intervene in cyber fraud, operational complexities and training obstacles persist. Katelyn Wan Fei Ma highlights three common challenges to the training of professionals and management of anti-fraud operations and offers potential solutions: establishing a comprehensive, regularly updated fraud typology; strategic management of fraud victimization profiles; and an interdisciplinary approach to fraud data analysis.

CYBER FRAUD OVERVIEW

As perpetrators become more active and creative in cyberspace, many traditional forms of financial crime are now conducted via digitized networks. For example, cyber scammers can utilize digital communication platforms to exploit potential victims (Button & Cross, 2017); cyber attackers can initiate attacks and gain unauthorized access to sensitive financial information using technological means (van der Wagen, 2018); and cybercriminals can conduct insider fraud, money laundering, and terrorist financing through global digitized financial networks (Chatain et al., 2008). The Canadian Anti-Fraud Centre (CAFC) is Canada's central repository for fraud information and is jointly managed by the Royal Canadian Mounted Police, the Competition Bureau of Canada, and the Ontario Provincial Police (Government of Canada, 2020). The organization collects and tracks information related to fraud and identity theft in Canada. According to CAFC statistics, there are more than 46,077 reports of fraud in Canada, with a total loss of over \$130 million Canadian dollars in 2021 as of July 31st, 2021 (Government of Canada, 2021).

COLLABORATION FOR CHANGE

Tackling cyber fraud requires more than just victims' efforts; various actors must collaborate in the process, including financial institutions, law enforcement agencies, governmental agencies, non-governmental organizations, as well as the victims themselves. Examples include the participating financial institutions of the Canadian Bankers Association, the National Cybercrime Coordination Unit (NC3) of the Royal Canadian Mounted Police, Consumer Protection Ontario, Equifax, and TransUnion. These organizations all employ anti-fraud professionals, namely representatives, specialists, or analysts handling fraud related cases, concerns, and algorithms. It is vital to assess the efficiency of cyber fraud training and the effectiveness of fraud operation management in these organizations on an ongoing basis: how can we strategically train anti-fraud professionals so that victims' interests can be well-protected? What changes should be made to anti-fraud operations to improve the experience of (potential) fraud victims, and facilitate the operation workflow? And, on a more technical level,

how can we improve fraud detection algorithms, which serve as digital alert systems?

CHALLENGES AND OPPORTUNITIES

Due to the fast-changing cyber fraud environment, conversations in the field around the challenges of cyber fraud training and management practices are increasingly common, and increasingly complex (Artikis et al., 2017; Dudin et al., 2018; Korauš et al., 2017). Although this article will not be able to address all operational concerns, it aims to highlight some common challenges and to provide viable suggestions accordingly. Some of the suggestions include changing operation procedures, updating training materials, and a strategic utilization of data infrastructure. This article intends to provide practical teaching and managerial insights that can be applicable by various operation teams in organizations across the fraud management industry.

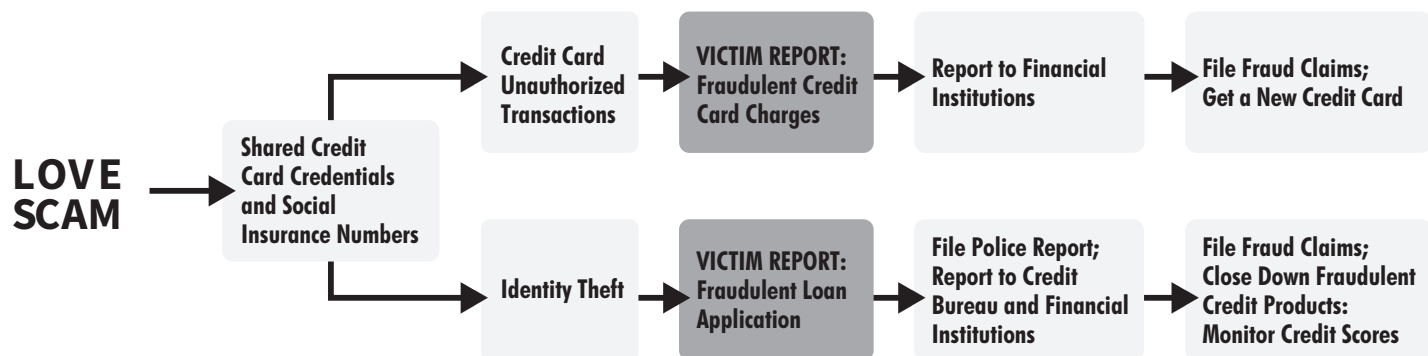
(1) Establishing a Comprehensive Fraud Typology

Anti-fraud training is typically designed and constructed based on currently available scam and fraud typology material, which is often drawn from

industry reports and governmental guidelines. These fraud typologies usually cover general scam and fraud types such as identity theft, phishing attempts, employment scams, romance scams, investment fraud, malware fraud, and so on (Canadian Bankers Association, 2021; Canadian Centre for Cyber Security, 2018; Government of Canada, 2020). Unfortunately, these frauds often include intersecting fraud techniques, and this overlap remains a challenge for organizations and training facilitators. For example, romance scam victims could share their personal financial information such as credit card credentials and identification data like social insurance numbers with malicious fraudsters. When victims see suspicious charges on their credit cards and report the fraudulent transactions, they might not be aware that fraudsters have already applied for loans and other credit products using the stolen identities. It may be months or even years until victims realize that their credentials were stolen. Categorizing scam and fraud types based on fraud techniques or transaction platforms can lead to investigation inefficiency and a ‘merry-go-round’ experience for victims.

Figure.1
Illustration of an Overlapping Fraud Incident

SOURCE: Author



Working under the assumptions that cyber fraud will likely never be fully eliminated, and that the general public may not be able to catch up with creative fraud trends, the responsibility to investigate and prevent fraud falls on anti-fraud professionals; training professionals to detect cyber fraud and unravel its complexities is therefore particularly important. In addition to continuous coaching to improve fraud-detection accuracy and analytical skills, it is also critical to train anti-fraud professionals to ask the right questions, which may not always be obvious, and correctly identify the nature of the fraud under investigation. Procedures related to case investigation and evidence gathering should also be revisited. When gathering evidence, anti-fraud professionals should carefully interview victims to understand how and why the credentials were initially compromised, what documents and data should be collected to define the nature of the cyber fraud, and to uncover other high risk online activities to which victims may be vulnerable.

Establishing a clear fraud typology is strongly recommended as it helps anti-fraud professionals interview victims efficiently, organize their work flows effectively, and prioritize their investigations appropriately. Industry practitioners and scholars in the field can consider different typology approaches when framing the issue of cyber fraud. For example, Ma and McKinnon propose breaking down fraud types based on authorization and fraud intent into the following categories: unauthorized transactions using financial information, unauthorized transactions using identity information, authorized transactions without fraudulent intent (whereby the victim is prompted and makes a transaction without realizing it is fraudulent), and authorized transactions with fraudulent intent (2021). This typological approach allows the categorization of cyber fraud based on the nature of the digital transaction and victim intent. Grouping the fraudulent activities at a transactional level based on authorization and presence of fraud intent can improve fraud categorization efficiency, particularly when fraud techniques overlap.

(2) Strategic Management of Fraud Victimization

When fraud happens, anti-fraud professionals have an obligation to understand the victimization process by ensuring thorough investigations. If anti-fraud professionals do not evaluate the situations exhaustively or assess fraud damage carefully,

victims may experience secondary or even tertiary victimization (Jansen & Leukfeldt, 2018). This is especially true for unaware or naïve victims, who are more likely to be trapped in a perpetual cycle of fraud (Button et al., 2009).

Instead of simply working through cases without providing the victim with explanations, guidance, and resources, anti-fraud professionals should be trained to educate victims on the implications of their high-risk behaviours in a non-judgemental and empathetic way. For example, victims may not know that sharing online banking passwords can be considered a violation of the bank card holder agreement, which may mean that they may not be reimbursed for a subsequent fraud incident because of this agreement breach. Without this background and information, victims may feel that they have been abandoned or forgotten by their banks (Judges et al., 2017).

According to a report by the UK National Fraud Authority, fraud victims prefer to be assigned an individual case worker to follow their case from beginning to end and like to be kept up-to-date on the progress of the case (Button et al., 2009). Victims also hope that financial institutions realize that there is no universal fix for fraud; instead, anti-fraud professionals should be trained to deal with the individual psychological, and sometimes even physical, impacts of fraud. This of course is on top of financial and employment impacts (Button et al., 2009). Additionally, victims should receive clear information about next steps, including to whom to report in the private sector, public sector, within cyberspace, and with whom to interact during the criminal justice stage of the investigation (Button et al., 2013).

(3) Interdisciplinary Approach to Fraud Data Analysis

Financial institutions and digital service providers use fraud detection algorithms to generate alerts on high-risk activities (Dal Pozzolo et al., 2014; Ngai et al., 2011; Olszewski, 2014). Since many detection algorithms are designed based on data mining and machine learning frameworks, most data analysts and data scientists have extensive STEM training. However, when performing fraud data analysis, analysts' lack of background in both criminal justice and the perspectives offered by the social sciences can lead to procedural inconsistencies and operational gaps.



For example, if an investigator determines that a counterfeit cheque deposit trend is related to a massive job scam, the investigator should summarize the red flags of the trend and share them with the data analyst who maintains the fraud detection alert system. Evidence details can include victims' profile information such as age, education, residential address, Internet Protocol (IP) address, and the Magnetic Ink Character Recognition (MICR) code of the fraudulent cheque. Rather than the current procedure in many institutions, it would be more efficient if a case investigator could collaborate with a data analyst to improve the algorithms. Working alongside a data analyst, a case investigator can also provide rationales related to fraud motives, fraud intent, and fraud techniques so that suspicious transactions can be blocked more accurately based on evidence gathered in interviews and investigations.

In conclusion, the conceptualization and typology of cyber fraud remains ill-defined despite various attempts at categorization (Chandra & Snowe, 2020). The author suggests approaching fraud typology according to user vulnerabilities (such as emotional appeals, mental instabilities, and psychological attachment) and system vulnerabilities (such as password attack, malicious software, and unencrypted communications (Ma and McKinnon, 2020). Training anti-fraud professionals strategically from a cyber-victimology perspective to manage fraud damage and avoid victims' secondary or even tertiary victimizations is also vital in the investigation and prevention of fraud. Finally, the author advocates for an interdisciplinary approach to data analysis by encouraging collaboration between fraud case investigators and fraud data analysts. Training of anti-fraud professionals and management of fraud operations will likely remain challenging as cyber fraud trends vary, so having a dynamic operational culture that embraces change and innovation is greatly encouraged. ■

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RÉSUMÉ

Training Anti-Fraud Professionals and Managing Anti-Fraud Operations: Challenges and Opportunities

KATELYN WAN FEI MA
Département des études scientifiques et technologiques, Université York (Toronto, ON)
katewm@yorku.ca

Les transactions financières étant de plus en plus nombreuses en ligne, les crimes financiers envahissent aussi le cyberspace. Les complexités technologiques, les conséquences sociales et les défis économiques implicites de la cybercriminalité sont des préoccupations pertinentes en cette ère du numérique. Quand il y a cyberfraude, le secteur financier compte beaucoup sur les professionnels de la fraude pour enquêter et intervenir, mais les difficultés opérationnelles et les obstacles à la formation persistent. Katelyn Wan Fei Ma met en évidence trois défis communs à la formation des professionnels antifraude et à la gestion des opérations antifraude et propose des pistes de solution : l'adoption d'une typologie complète de la fraude qui serait régulièrement mise à jour ; la gestion stratégique du profil des victimes de fraude et une approche interdisciplinaire de l'analyse des données sur la fraude.

Ambiguities of Crime and Punishment: Radicalization of Second-Generation Muslims in Canada and Belgium

KARIME ELABDERRAHMANI

MA (Criminology) / Correctional Peace Officer Supervisor at Alberta Justice and Solicitor General (Calgary, Alberta)

In this expansive overview of radicalization processes affecting Muslim youth in Canada, Karime Elabderrahmani suggests that definitions of crime and punishment can become ambiguous in the light of theory and evidence positing social strain as a factor in the development of criminal behaviour. Social exclusion, poverty, trouble fitting in at school, and lack of opportunities for meaningful employment, suggest the author, are factors that all too often characterize the experience of second-generation Muslim citizens in Canada and Belgium; but who is responsible? Is it the parents, or is Islamophobia to blame? Given the fact that radicalization opportunists are always prowling online, and that second-generation Muslim Canadians and Belgians are increasingly considered vulnerable to their lure, Elabderrahmani is calling for more research into how socio-environmental factors come together to radicalize Muslim youth against Canadian society and the authorities and make them vulnerable targets for radical Islam extremist groups around the world. Negative sentiment and hate crimes against Muslim Canadians perpetrated by 'mainstream Canadians' have prompted a summit but there will be no easy fix. Elabderrahmani warns that Belgium's experience may offer clues for Canada.

TRAGEDY FOR CALGARY

Is the death of a Calgary police officer on New Year's Eve, 2021 one of many signs that violence and deviance among second generation immigrants are on the rise in Canada? After pulling over an SUV at a traffic stop point in the northeast district of Calgary, police officer Andrew Harnett was dragged 400 metres by the fleeing vehicle before being pushed away from it by the driver (Smith, 2 January 2021). The officer was then hit by another vehicle and died later in hospital (Neufeld, 2021). Highly visible in the media, this crime caused frustration and pain for the officer's family members, colleagues, the law enforcement agency, and the public. A memorial ceremony and family support initiatives were put in place in the wake of this tragedy.

In serious crimes such as this, the duties of both the media and legal investigative processing start at the scene of the crime and aim to determine

what transpired right before, during, and after the incident, such as the killing of an officer in this case. This practice of detail collection and comprehensive at-the-scene investigation applies to most serious traffic accidents or crime scenes. However, other factors may also be considered by the courts, but how are these factors identified? Defense lawyers will try to establish certain factors in their client's history, such as any mental distress, vulnerability, substance abuse, and/or numerous other factors—including victimization—to try and get the most lenient sentence possible for their client.

DOES CALGARY HAVE SIMILAR SOCIO-CULTURAL AND ECONOMIC DIVISIONS AND INDIVIDUAL RISK FACTORS FOR CRIME AS BRUSSELS, PARIS, OR BARCELONA?

The Canadian city of Calgary in the province of Alberta offers a promise of the Western urban lifestyle likely coveted by immigrants seeking a brighter future. The downtown centre (Calgary's West End) continues to

lead the city's still-burgeoning economy and offers significant opportunities to professionals in various fields. Calgary is known as a wealthy petroleum city with multinational firms and a high level of modern productivity and services; however, at a cultural level it is said to embody the very same social divisions and behaviour challenges as Paris, Brussels, or Barcelona, where common deviance and social disorder such as homelessness, graffiti, intoxication and substance abuse abound among certain ethnic groups.

SERIOUS PUBLIC SAFETY AND OTHER SOCIAL CONCERNS IN NE CALGARY, THE CITY'S 'MULTICULTURAL' HUB

To explore these phenomena in Alberta, Canada, however, we must detour away from the downtown area and head towards northeast Calgary, where everything is a bit different. Considered the multicultural sector of Calgary, the northeast district is where immigrants of different ethnicities tend to settle and live when they arrive. A quick look at official statistics reveals some serious public safety and other social concerns in NE Calgary, with 46,676 incidents in 2019 compared to the SE area's 1,747 in the same year (Calgary Police Service, 2021) that warrant deeper study not only in relation to the way Canada receives her immigrants but how the integration of their children born in Canada is ensured. It is a well-known fact that most of the first generation of newcomers often prefer to live in certain areas because they know it will better their chances of becoming gainfully employed and financially secure.

This is because non-profit organizations tend to specifically target areas with high immigrant populations for support and services, probably partly for reasons of accessibility. In the 1970s-80s, "immigrant families congregated in certain areas where they could find informal support structures and social networks" (Kahder, 2021). But this became a vicious cycle, with services being inaccessible to those living outside 'multicultural' areas, and thereby fostering if not forcing the clustering of immigrants and this has a different impact on their Canadian-born children raised in relative isolation from 'mainstream' Canadian society.

NATIONAL IDENTITY AND CULTURAL DIFFERENCE HAVE NOT YET BEEN RECONCILED IN CANADA

Not enough can be said about the bravery and courage of those who risk moving away from

everything they know to a new country, new culture, different climate, landscape, and language – to a new social reality. Not sharing the same historical path as their immigrant parents, however, the second generation can struggle between two identities and easily be left feeling they have no identity. Yet, they were born in Canada. This is because national identity and cultural difference have not been reconciled in Canada. We see this in the seemingly unstoppable socio-economic exclusion, discrimination, and associated criminalization of Indigenous people in Canada (Kanji, Azeezah, 2020). Disturbingly, this outcome has also applied to first- and second-generation Black Canadians and is seen to increasingly typify the social experience of other ethnic groups, such as second-generation—Canadian-born—Muslim youth.

THE NOTORIOUS 'MOLENBEEK' DISTRICT OF BRUSSELS: 'NO-ENTER ZONE' FOR 'MAINSTREAM' BELGIANS

Molenbeek-Saint-Jean of Brussels is Europe's first municipality to have an almost 100-percent Muslim population, and its residents/households have the second lowest average income, €10,406, which is only slightly higher than Saint-Josse-ten-Noode's €9,297 (Johnston, J. (2019). Belgium believes in local self-government, and all Belgian city mayors also serve as chiefs of police. Municipalities can open primary and secondary schools. The notorious 'Molenbeek' district of Brussels (Chalmers, 21 June 2017) is a 'no-enter zone' for 'mainstream' Belgians.

Most Muslims living in Molenbeek are deeply challenged by perceived personal discrimination, unemployment, over-representation as school dropouts, and a general lack of equal life opportunities. This triggers identity conflict (Fleischmann & Phaet, 2016), and makes it hard for the individual to develop national feelings for Belgium. Again, this is also true for second-generation Muslim Canadians. They are unsatisfied with their lives and commonly experience intense feelings of difference and emotional rejection from the 'mainstream' society. Associated feelings of strain and frustration will lead some to sometimes react in radical or violent ways to the discrimination they face. This inequality, the inability to participate socially and prosper, takes some down a path that is wrong and often leads to prison.

The terrorist attack in Brussels, Belgium in 2016 was initiated by a few born and raised in their locally

infamous municipality of “Sint-Jans-Molenbeek” (France 24, 2020) which is Flemish for Molenbeek-Saint Jean.

Chronologically, Islamic migration and visibility within Belgian society began with newcomers from Turkey and Morocco from the end of the 1970s and through the 1980s. At this point, the risk of cultural confrontation was very low. Most of the first generation immigrants became actively involved in the Belgian society in order to pursue their goals. A large number were single individuals able to focus on working long hours, learning the host-country language, and getting to know European culture. The second wave of immigration started in 1987, at a time when social and political strain between the Flemish and the French was on the rise in Belgium. Muslim immigration to Belgium continued, making the more visible.

BELGIAN PRISONS: A BREEDING GROUND FOR ISLAMIC EXTREMISM

The United Nations reports that “Islamophobia/anti-Muslim hatred infringes upon freedom of religion or belief” in Belgium (Ahmed, 2021). The Belgian prison system is said to have become “a breeding ground for Islamic extremism (Mufson, March 27 2016). It is worrisome that “A Belgian prison is where Abdelhamid Abaaoud, who helped plan the Paris attacks”, met an “alleged Paris attacker” (Chrisafis, 2021). It is also where “Two of the suicide bombers in the Brussels attacks” first came in contact, both “had spent time in Belgian prisons for violent offenses including armed robbery and carjacking” (Chrisafis, 2021). Belgian has plans to fight the process of radicalization in its prisons by separating radical individuals from other inmates to prevent the spread of terrorist ideology. The Belgian ministry spokesperson Sieghild Lacoere stated that segregation is the best solution for fighting the process of radicalisation (Mufson, 27 March 2016).

MUSLIM EXPERIENCES IN CANADA RECALL THOSE IN IN BELGIUM

The similarities are clear between Belgian and Canadian immigration policies used for immigrants from Europe, which changed in the 1960s when severe shortages of low-skilled labour often characterized by low pay and poor work conditions arose, and both countries opened the door to Black immigrants from Africa for the first time in their respective histories. It was then that the Muslim

populations in both countries began to rise. By 1971, “there were 33 000 Muslims in Canada”. In 2001, there were 579 740 Muslims in Canada, and by 2011 an estimated 1 million -about 3.2% of the Canadian population (Census Canada, 1971; 2001; 2011). The Pew Research Center estimated that Muslims represented 7.6% of Belgium's population in 2016 (Conrad Hackett, 2017).

The discrimination, social exclusion, and associated poverty faced by Muslims in both Canada and Belgium may cause some to seek alliance with the Muslim Brotherhood (Bakker & Meijer, 2012). Such alliances hold a promise of unity and a way to escape the social exclusion and empower their existence. Anyone born and raised in these kinds of Islamophobic environments would arguably require a good deal of support to gain the respective Canadian or Belgian identity needed to fit in and thrive. Yet the Canadian Charter of Rights and Freedoms 1982 (CCRF, 2005) specifies three primary cultural safeguards, including freedom of religion, expression, and association.

The world is changing and immigration intensifying. With this comes a global rise in radical groups everywhere in the world, victimizing and misleading youth and adults who need respite within their isolation. The appropriate reception of immigrants is not only important at the individual or group level; it is of national and global imperative, because without acceptance, employment, education and social programs will remain beyond their reach and create an isolated group embedded in poverty, strain, and frustration. Most criminological theories agree that individual criminal behaviours can emerge from these dynamics; action is imperative.

(NON) INTEGRATION OF IMMIGRANTS OF GROWING PUBLIC CONCERN FOR THE CANADIAN JUSTICE SYSTEM

A study by The Macdonald-Laurier Institute in November 2011 concluded that Canadian Muslims were as extremist as those from dictatorships, but also that “They do not find Canada to be Islamophobic” (Leuprecht and Winn, 2016). However, a 2016 survey by Environics (CBC, 2016) showed that “public concerns about the cultural integration of immigrants are growing, and Muslims continue to be viewed with discomfort, if not suspicion”. Today, “46% of Canadians have an unfavorable view of Islam” in Canada,

where “Islamophobia intersects with other kinds of racism” (Kanji, Azeezah, 2020). Finally, this problem is also evidenced by the increasing overrepresentation of Muslims within the Canadian criminal justice system.

According to the Office of the Correctional Investigator, “There has been a disproportionate increase in the number of inmates who self-report their identity to correctional authorities as Muslim. The Muslim inmate population has increased by 74% since 2008-2009 (from 627 to 1089) and now 7.73% of the total inmate population. Whether internal or external factors are driving the increase in the number of Muslim inmates is unclear” (OCI, 2019). In addition, hate crimes “targeting Muslims rose by 9% in 2019” (Zinger, 2019).

In Canada, Quebec has offered Muslim immigrants, mainly from North Africa, one of the fastest immigration procedures due to a discretionary demand for francophone immigrants. Muslim immigration in Canada originated from different Muslim countries all around the world—from Pakistan in Asia to Morocco in Africa. They all increasingly choose Canada as their destination. With rapid immigration of large numbers of people from a given country, however, differences cannot ‘melt’ fast enough to create a sense of true citizenship in the adoptive country. Every citizen has the right to be treated with dignity and fairness, but cultural difference is not easily reconciled. Does this have serious repercussions on the personal thought processes of a growing number of young Canadians, making them disconnect? In certain neighborhoods all over North America, visible cultural difference is extending from household and community spaces to nation, although Canada is still around 72,9% white (Statistics Canada, 2016).

DIFFICULTIES FACING SECOND-GENERATION MUSLIM CANADIANS

This disconnect between home/neighbourhood and the greater Canadian community is not so noticeable among new immigrants as it is for their children born in Canada. As noted earlier, the newcomers seek resettlement, which means engaging in a profession and maybe even starting a family depending on their age. In some cases, the adjustment can be overwhelming for immigrants, with most of their time devoted to setting/achieving financial goals, adapting to the new society, and

learning the language. This leaves precious little time for active involvement in their new society. Immigrants may work long hours, celebrating in their spare time at home and connecting with their ‘own’ culture through social media, television, or by phoning relatives abroad. They remain loyal to their personal goals and aspirations. But their children are likely to have different expectations, because they are not immigrants; they are Canadians.

With global immigration patterns speeding up in the 1960s, the U.S. criminologists Shaw and McKay (1969) updated Emile Durkheim’s Social classic disorganization theory in a context of rapid and concentrated migration and “societies that are changing rapidly”. This is also true of Canada. Shaw and McKay’s social disorganization theory directly links crime rates to neighbourhoods and to social causes of delinquency. This knowledge should inspire the Western global community to establish educational and preventive responses. For example, a short drive through 70th Avenue in NE Calgary reveals many foreign signs and styles, which is harmless and accommodating but might well evoke disorientation and fear in ‘unsensitized’ mainstream Canadians. The more recent, stain-theory approach to radicalization (Dalgaard-

Nielsen, 2008) offers a real example of how it occurs when two groups having different interests and ideologies come together and attempt to destroy each other. If social unity fails, hatred succeeds, and national unity can be deeply challenged.

THE MEDIA AND ISLAMOPHOBIA

“The media in the modern era is indisputably an instrument of war” (Payne, 2005). The figure of the Muslim as “terrorist”, or the African-American as

“criminal”, has been the topic of much news reporting, both direct and indirect. In the US, “Two decades after 9/11, Muslim Americans are still fighting bias” (Fam et al., 7 September 2021). The US scholar Nancy Heitzeg, professor of sociology and critical race/ethnicity at Saint Catherine University in Minnesota, has pointed out a double-

Are social divisions in Canadian society stilted the integration of second-generation, Canadian-born Muslim youth and can this lead to radicalization and terror as in Belgium, which has “already experienced more than three decades of public debates around the integration of Islam itself and Muslims”?

(Torrekens, 5 July 2021)

standard in media reports depending on the colour of a person who has committed a crime. Heitzeg found that when a minority individual commits the crime “there are no backgrounds, no excuses and no side stories” (Conversation, 6 July 2021) about their life in Canada, but there may be speculation on extremist forces related to the homeland their parents abandoned to emigrate to Canada. Yet for white people, “there is always a life story providing a background on the accused, while the cultural ill of the Western nation receives little attention, in spite of increasing evidence to the contrary. As Benjamin Ducol, researcher at Montreal’s Centre for the Prevention of Racialization Leading to Violence, so succinctly noted: It is clear that “Alexandre Bissonette didn’t come from Mars. He was born and raised in... Canada, he’s a product of Canadian society” (Héту, 19 October 2019).

The factors dividing Canadian citizens in relation to Islamophobia, especially in relation to the situation at NE Calgary, must be identified and addressed. This will require multidisciplinary collaboration between city, province, and federal/provincial services and should include the national media and civilian organizations. The work of immigration services must move beyond approving a person for immigration toward a continuous monitoring for changes and challenges and especially the integration of their children, who have an even harder time than their parents to find their way in Canadian society even though they were born Canadian. Those growing up in the multicultural region of Northeast Calgary are arguably far more likely than other Canadians to be exposed to gang violence, deaths, shootings, and drugs at school. How can society target these youth but with a focus on prevention and tracking without being accused of profiling or breaching any human rights?

CONCLUDING REMARKS

We live in an amazing world filled with positive energy; but the world is also rife with conflicts and tragedies. This article has aimed to stimulate further discussion and raise awareness over the growing issue of Muslim Islamophobia and the violence through radicalization and the anti-Muslim racism it breeds. Perceived risks to public safety, along with potential human rights abuses, are triggering initiatives being implemented by the Canadian government to overcome increasingly well-identified social struggles.

Canada recently held its first National Action Summit on Islamophobia (2021) and is committed to implementing numerous action plans to combat anti-Muslim racism and Islamophobia in Canada. The Summit immediately made headlines, in the sense that most media reports leading up to the event focussed on the need to stop anti-Muslim violence. This may help address the fact that second-generation Canadian youth born of Muslim immigrant parents live in a cultural environment that meets the needs of their immigrant parents but leaves them unsuccessfully straddling two worlds, the Muslim community and the larger Canadian society (Can. Heritage, 22 July 2021). Criminal behaviour is an outcome increasingly linked to strain from factors such as social exclusion, poverty, and lack of opportunity – including drop-out rates and lack of opportunities for meaningful employment. Sadly, these factors are often only recognized once people have ‘failed’ to participate fully in a nation’s economic, social, political and cultural life.

Perhaps the court proceedings for the killing of Sgt. Andrew Harnett will help shed light on socio-economic pressures as a possible contributing factor in his death, through radicalized-induced violence of two (Muslim) Canadian youth. Countering radicalization to violence is a relatively new undertaking for the Government of Canada. Much work is needed across the country to build resilience against violent extremism, as well as to build capacity for intervening with individuals at risk of radicalizing toward violence and those already on the way (Canada Centre, 2018).

Food for thought over the risk of radicalization among Muslim immigrants to Canada—as is happening in Belgium—includes mainly questions: Do some second-generation Canadians suffer social exclusion and feelings of abandonment? Are Muslim-Canadian (immigrant) parents solely responsible for this? Does Islamophobia breed some form of strain that can induce criminality and make some youth vulnerable to radicalization? Can the impact of Islamophobia on second-generation Canadians (Muslim) in Northeast Calgary combine with their relative social isolation growing up in that community to create hatred against Canadian society and the police? Are Western nations with Muslim populations, such as Canada and especially Belgium, in need of restorative social and

criminal justice processes aiming to prevent social exclusion? Does the over-representation of Muslims in Canadian carceral institutions put Canadian prisons at risk of becoming a breeding ground for extremism as is happening in Belgium? What needs to change?

Some of the answers lie in a holistic understanding of how socio-environmental factors come together to radicalize youth and lead to behaviour such as that which took the lives of one Calgary police officer and four members of a Muslim family in Ontario this year. Only by understanding these factors and their impact can the Canadian criminal justice system begin to eliminate the lure of radicalization that still lurks mainly beyond its borders. This will require a paradigm shift not only in our reception of non-European immigrants but of visible minorities generally. ■

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RÉSUMÉ

Ambiguities Of Crime And Punishment: Radicalization of Second-Generation Muslims in Canada and Belgium

KARIME ELABDERRAHMANI

Dans ce vaste tour d'horizon des processus de radicalisation de jeunes musulmans au Canada, Karime Elabderrahmani avance que la définition du crime et de la punition peut devenir ambiguë à la lumière de la théorie et des preuves voulant que la pression sociale joue un rôle dans le développement du comportement criminel. L'exclusion sociale, la pauvreté, la difficulté à s'intégrer à l'école et le manque de possibilités d'emplois satisfaisants, suggère l'auteur, sont des facteurs qui caractérisent trop souvent l'expérience des citoyens musulmans de deuxième génération au Canada et en Belgique. Mais qui en est responsable? Est-ce les parents ou l'islamophobie? Étant donné que les opportunistes de la radicalisation rôdent toujours en ligne et que les Canadiens et les Belges musulmans de deuxième génération sont de plus en plus considérés comme des proies faciles, M. Elabderrahmani appelle à davantage de recherches sur la façon dont certains facteurs sociaux et environnementaux se conjuguent pour amener de jeunes musulmans à se radicaliser menant à la violence contre la société et les autorités canadiennes, devenant ainsi des cibles faciles pour des groupes islamistes extrémistes partout dans le monde. Le sentiment négatif de « Canadiens ordinaires » à l'endroit de concitoyens musulmans, et les crimes haineux perpétrés par les premiers contre les seconds ont suscité la création d'un Sommet national sur l'islamophobie, mais il n'y aura pas de solution facile. M. Elabderrahmani signale que l'expérience de la Belgique pourrait offrir des indices au Canada.

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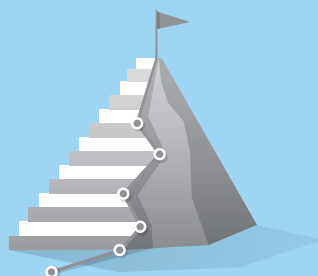
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